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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 004531

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SUBJECT: SENIOR DAWA PARTY LEADER OFFERS SHI'A PERSPECTIVE
ON STALLED ELECTIONS COMMISSION LAW

Classified By: Political Counselor Margaret Scobey for reasons 1.4 (b) and (d).

11. (C) Summary: Senior Dawa party leader and vice-chairman of the Shi'a coalition Ali al-Adeeb told PolCouns on December 6 that negotiations on the Independent Higher Election Commission (IHEC) had reached an impasse because the Kurds, specifically Masoud Barzani, would not accept national commission oversight of and the application of nationwide standards to regional commissions' conduct of regional and local elections. Although al-Adeeb agreed with PolCouns on the importance of holding provincial elections, he said that the Shi'a coalition was unwilling to jeopardize its alliance with the Kurds by pushing them too hard at this point. Al-Adeeb said that the Prime Minister and Shi'a coalition leaders had agreed to send a delegation to Muqtada al-Sadr to convince him to end the Sadrist's "temporary withdrawal" from the government. To date, he said, al-Sadr had refused to meet with the delegation, offering instead that it meet with his "political committee." Finally, al-Adeeb reported that the Shi'a coalition had rejected the first draft of the new de-Baathification law proposed by Ahmed Chalabi and were waiting to see a revised version. He characterized the first draft as too strict and also as lacking provisions to compensate victims of the Baath regime. End summary.

Election Commission Law: "Talk to the Kurds"

12. (C) PolCouns asked al-Adeeb why parliamentarians seemed to have reached an impasse on the IHEC law. Al-Adeeb explained that there was agreement that a national commission with branch offices throughout Iraq should conduct nation-wide elections, such as those for the CoR. There was also agreement that regional commissions could conduct regional and local elections. However the Kurds, according to al-Adeeb, wanted "no interference" from the center on the conduct of regional elections; their position was that the regional commissions should "coordinate" with the central commission (i.e., a "voluntary" action). The Shi'a, he continued, were insisting that the law clearly give the national commission "oversight" over regional commissions and indicate that the regional commissions must follow national standards (i.e., both obligatory steps). Looking at compromise language the Embassy was proposing, al-Adeeb described it as "technically" acceptable but too vague to be implemented. He suggested that he and others worried the Kurds would take advantage of any lack of clarity to rig important elections through their regional commission, e.g. by changing voter registration lists from one location to another at the expense of other communities.

13. (C) PolCouns expressed the Embassy's sense of urgency on the IHEC law, noting that it was necessary to pass this law

before the CoR went on winter recess (currently scheduled for January and February) in order to have a realistic chance for provincial elections in the fall of 2007. These elections, she continued, were essential to continuing the democratic momentum in Iraq and for allowing communities, such as the Sunnis, that did not fully participate in the most recent provincial elections (January 2005) to enter the political process. Al-Adeeb agreed that the elections would serve as an important mechanism in Iraq's democratic progress and noted that even in Shi'a-dominated provinces there was a strong desire for new provincial elections. Yet he said the IHEC law was not an urgent priority for the Shi'a coalition because it did not want to jeopardize its alliance with the Kurds. He noted that the Kurds and other communities distrusted the central government based on Iraq's recent history, and that all Kurdish efforts were geared toward trying to attain independence from the central government. The Shi'a, he continued, could not change the Kurds' minds on the election commission law because "they doubt us as we are now the democratic majority." The U.S. had to convince the Kurds, and particularly Masoud Barzani, if it wanted to get an election commission law. "It's the same reason Secretary Rice went to Kurdistan on the hydrocarbons law. President Bush's vision of a united Iraq must be transferred to the Kurds. Federalism should unite Iraq, not divide it."

The Sadrist Challenge

¶4. (C) Prompted by a question to turn to the Sadrist "temporary withdrawal," al-Adeeb told PolCouns that the Prime Minister and the Shi'a coalition had decided to send a delegation (including al-Adeeb) to Muqtada al-Sadr after the

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PM's return from Jordan to convince his allies to return to the government. Sadr's office, however, said that al-Sadr would not see the delegation but that it could meet with the five members of his political committee, which the delegation refused. Most Sadrist MPs, al-Adeeb claimed, wanted to return to the CoR floor, and he and others were encouraging them to push their views within the Sadrist group. The Sadrists, he noted, were angered that the CoR did not review the Iraqi government decision to request an extension to the multinational forces' mandate, and they felt that the government and MNF-I could have prevented the recent bombings in Sadr city but deliberately did not. Al-Adeeb explained that the PCNS had approved the decision on the mandate with a Sadrist representative, Dr. Qusay (whom we believe refers to CoR member Dr. Qusay al-Suhail), present and in agreement. The Sadrists, however, claimed that he did not represent them. Al-Adeeb previewed the Shi'a coalition's argument to the Sadrists by noting that the understanding reached between President Bush and PM Maliki in Amman and even the Iraq Study Group report both supported speeding up training of and transfer of control to the Iraqi security forces, goals that would lead more rapidly to eventual MNF-I withdrawal.

¶5. (C) Al-Adeeb said that the Sadrists had agreed to change all of their six ministers. (Note: We believe they have five ministers. End note.) They have proposed to the PM three potential replacements for each minister. According to al-Adeeb, the parties were urging the PM to tell them which ministers needed to go so that they could propose potential replacements. Al-Adeeb offered two examples of ministers that clearly needed to be replaced: Minister of Culture Asad Kamal al-Hashemi (IIP), whom al-Adeeb described as a "terrorist"; and Minister of Justice Hashim al-Shibli (Iraqiyya), whom al-Adeeb criticized for hardly spending any of his budget.

Shi'a Coalition Rejects First De-Baath Draft

16. (C) Asked by PolCouns about the Shi'a coalition stance on de-Baathification, al-Adeeb said that the coalition "rejected" the first draft de-Baath law drafted by Ahmed Chalabi's commission. He cited several reasons. First he characterized the law as punishing too many people, giving an example of an army officer who he knew to be an excellent officer and who had joined the Baath party only so he could move up in the army. Al-Adeeb said that he did not advocate a cut-off line for de-Baathification provisions, but instead that Baath party officials who "do not have blood on their hands" should be allowed to recant and then even rejoin the government. He noted that some officials might have to accept forced retirement, but that consideration should be given to their families. Putting a former government official on the streets without his salary, al-Adeeb argued, had and would continue to create sources of support for insurgents. Finally, al-Adeeb argued that compensation for the victims of the Baath regime should be part of the de-Baathification process. He called for a balance between the rights of former Baath party members and for the regime's victims, noting that the bulk of the Iraqi population would feel it unjust if the new law was less stringent on former Baathists but provided no compensation. The Shi'a coalition, al-Adeeb commented, was waiting for a second draft from Chalabi. At that point, he said, he would urge the coalition to form a small committee to develop coalition proposals in more depth. "We want a durable solution, not to see one error replaced by another," he concluded.

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